



TOWN OF OLD SAYBROOK  
Zoning Board of Appeals

302 Main Street • Old Saybrook, Connecticut 06475  
Telephone (860) 395-3131 • FAX (860) 395-1216  
www.oldsaybrookct.com

23/24-27

Appeal No.:	Hearing Date: 5-8-24
Application \$ 240.00	State DEP \$ 60.00 \$300.00
Decision:	Date:

### Application Form

**Appellant Information (Owner of Record)**

EMAIL: \_\_\_\_\_

Appellant's Name: Justin Bagnati / Jeff Bagnati Tel. No.: 203-901-3575  
 Mailing Address: 50 Soundview Ave Norwalk, CT 06854  
 Agent's Name: \_\_\_\_\_ Tel. No.: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_

**Property Location**

Street Address: 186 Bokum Rd. Owned Since (year): 1990  
 Neighborhood: Bokum Rd. Assessor's Map #: 61 Lot #: 23-1  
 Does the Appellant own any adjacent properties?  Assessor's Map #: \_\_\_\_\_ Lot #: \_\_\_\_\_  
 If yes, state when acquired: \_\_\_\_\_  
 Zoning District: AAA Starting Date: ASAP

**Property Information**

Please identify the water source for the property. Water Supply: Public  Well

**Please check the box if the answer to the following questions are yes.**

Is the property located in a Coastal Management Zone ?   
 If so, the application may require a Coastal Management Application that must be included with this application. (Section 59)

Are there Inland Wetlands, Watercourses (Section 51.4.4) or Tidal Wetlands (Section 68.1.2B9) located on or within 100 feet of the property? If so, please identify the s.f. of wetlands on the lot/adjacent lot.

Is the property located in a Gateway Conservation Zone (Section 58)?

Is the property located in a FEMA Flood Zone? If so, please identify the Flood Zone below.   
 Property is located in Flood Zone \_\_\_\_\_  
*Please be advised that if the proposed project is located in a FEMA designated A or V zone, a Flood Review Permit and a Certificate of Flood Elevation may be required (Code of the Town of Old Saybrook, Chapter 128 Flood Plain Management)*

Is the property located within 500 feet of a Contiguous Municipality (C.G.S. 8-7(d)(f)(1))? Essex

Is the property located within an Aquifer Protection District?

Is the property located within a Historic District?

Date of Approval of Certificate of Appropriateness \_\_\_\_\_

Has the Connecticut River Area Health District Approved this Project?

**APPROVED B-100a form required and APPROVED FORM MUST be submitted as a part of this application or it will be considered an incomplete application.**

**Project Information**

Existing Use: Clearly identify in detail all existing uses on the property i.e. residential dwelling (year round or seasonal) with (detached/attached) garage, shed, pool, etc.

Year round single family home, attached 2 car garage.  
Barn, shed, detached 3 car garage.  
Property existing is 6.21 acres, 270,348 sq ft.

Proposed Use: Clearly identify all new and expansion of existing uses, new construction and demolition proposed. Include area (in s.f.) as noted below and as much detail as possible.

Split property to maintain existing structures to sit on 4.19 acres, 188,321 sq. ft.  
Use additional 2.02 acres, 88,027 sq. ft. to build a single family home.

**Include:**

Building/Structure coverage	From:	s.f.	%	To:	s.f.	%
Gross Floor Area	From:	s.f.	%	To:	s.f.	%

**Type of Application:**

Check which type of application you are applying for and proceed as directed.

- Variance**  
*An application for the Board to determine and vary the Zoning Regulations, Subdivision Regulations or the Town Flood Plain Management Ordinance of the Town of Old Saybrook.*
- Appeal of the Decision of the Zoning Enforcement Officer/Administration**  
*The Appellant requests the Board to hear and decide an appeal where it is alleged that there is an error in any order, requirement or decision made by the Zoning Enforcement Officer charged with enforcement of the Zoning Regulations.*

**Variance Application**

**NOT APPLICABLE**

Please check appropriate variance type and complete questions

**Zoning Regulations**

The Appellant requests the Board to determine and vary:

Zoning Regulation requested to be varied. <i>(Example: Section 98.9)</i>	Type of Regulation <i>(Example: setback)</i>	Regulation Requires <i>(Example: 15 ft. required)</i>	Variance(s) Requested: <i>(Example: propose 5 ft from property line)</i>
7.2.1	MABL. Minimum Area of Buildable Land.		
MABL requires a minimum area of 15,000 sqft. Not including easements.			
Proposal is to allow for MABL including the CLIP/Eversource easement on the property to create a 2.02 acre lot.			

Appellant must attach copies of any variance previously granted for the subject property.

**Flood Plain Management Ordinance / Flood Plain District Regulations**

The Appellant requests of the Board to determine and vary:

Section(s) of Town Code Chapter 128: \_\_\_\_\_ Variance(s) Requested: \_\_\_\_\_

**Reasons for Variance Requests**

*BOTH questions must be answered or application will be considered incomplete.*

Explain solely with respect to the subject property, how a variance of the Zoning Regulations / Town Ordinance would be in harmony with the general purpose and intent of the Regulations/Ordinance and how the granting of this variance will conserve the public health, safety, convenience, welfare and property values of the residents of Old Saybrook:

The lot is oddly shaped and has a large easement.

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Certain conditions especially affect this parcel that do not generally affect other properties in this Zoning District. Literal enforcement of the Regulations results in the following "exceptional difficulty" or "unusual hardship":

The minimum size for one lot with well water is 60,000 sq. ft and 40,000 sq. ft with public water. With requiring 160,000 sq. ft combine, we are asking to use a 270,348 sq. ft lot to reach a total of 2 lots. 170,348 more than the minimum requirement. The new lot, proposed 2.02 acres will use public water which is encouraged by the Town subdivision & other regulations. If it were a lot this size in a square without an easement, 4+ lots.

These circumstances legally do not constitute an "exceptional difficulty" / "unusual hardship":

- Ignorance of the Zoning Regulations
- Personal health circumstances
- Financial considerations only.
- Self created hardship

**Notice to Adjacent Property Owners**

List all property owners within one hundred feet (100') of the subject property.

Assessor's Map #	Lot #	Name	Property Owner of Record Street Address	Mailing Address
- See attached -				

Attach sheets as needed to list additional adjacent property owners within 100 feet.

**Affidavit of Accuracy and Agency**

I declare that, to the best of my knowledge and belief, all information contained in any document or drawing that is submitted, as part of this Application, is true and accurate as presented. I am aware that if this application is granted by the ZBA, it is my responsibility to obtain a Certificate of Zoning Compliance, Building Permit and all other applicable permits. I understand that all variances approved by this Board are conditioned to expire if a Building Permit is not obtained within one year of the approval date.

Signed: [Signature], Appellant / Agent Date: 4/11/24

I authorize the party named to act as my Agent in making the requests listed on this Application Form and obtaining, on my behalf, that granted by the Board.

Signed: \_\_\_\_\_, Owner Date: \_\_\_\_\_

# **HOUSE NUMBERING REQUIRED**

Chapter 138 of the Code of the Town of Old Saybrook entitled “House Numbering” **requires affixing assigned street numbers to all dwellings and buildings.**

Zoning Board of Appeals members visit properties prior to the public hearing. The inability of a member to locate a property subject to appeal wastes the time of volunteer Commission members and may potentially make it increasingly difficult to understand an application without the opportunity to make a site visit. If your house is not properly numbered, please number your house at the time of application submittal.

House numbering is also essential to the quick response of firefighting, police and emergency medical response.

## **Street Number Checklist:**

- ✓ Numbers at least 3 inches in height (the BIGGER the better)
- ✓ Numbers are a contrasting color when mounted on the business, house, mailbox or post.
- ✓ Numbering of home or business so far off the street that the number isn't visible supplemented by a set of numbers near the street on a post, fence, etc.
- ✓ Number on your mailbox or post visible from both directions
- ✓ Number is a numeric figure (ex. 1, 2, 3)

